



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

MAR 10 2000

400 Seventh Street, S.W.  
Washington, D.C. 20590

DOT-E 9623  
(SIXTH REVISION)

EXPIRATION DATE: December 31, 2001

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Orica USA Inc.  
(formerly: Energetic Solutions, Inc.)  
Englewood, CO

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the transportation in commerce of certain Division 1.5D and Division 5.1 materials subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of a Division 1.5D and Division 5.1 material in a cargo tank with a dromedary compartment (cargo compartment) containing Division 1.1 explosives mounted directly behind the tractor cab provided herein. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
- b. The safety analysis performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.101 (8)(c), 173.63 and 177.835(g).

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5. BASIS: This exemption is based on the application of Orica USA Inc. (formerly Energetic Solutions, Inc.) dated February 9, 2000, and supplemental information dated March 2, 2000, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Boosters, <i>without detonator</i>	1.1D	UN 0042	II
Cord, detonating, <i>flexible</i>	1.1D	UN 0065	II
Detonators, non-electric, <i>for blasting</i>	1.1B	UN 0029	II
Detonators, electric, <i>for blasting</i>	1.1B	UN 0030	II
Detonator assemblies, non-electric, <i>for blasting</i>	1.1B	UN 0360	II
Explosive, blasting, type A	1.1D	UN 0081	II
Explosive, blasting, type B	1.1D	UN 0082	II
Explosive, blasting, type E	1.1D	UN 0241	II

7. SAFETY CONTROL MEASURES: Packaging prescribed is a DOT Specification MC 306 or MC 307 cargo tank prescribed in DOT-E 8554; the Butler manufacturing Company's units identified as models 1025, 1200 and 1500 or Fruehorf hopper pressure bulk trailer model HABF2J; Ireco Chemical's Bulk Delivery Truck as shown on drawings submitted with their application; repump truck as shown on Ireco drawing AYC 266, dated November 1982, AYC 327 dated March 1983; with a dromedary compartment (cargo compartment) mounted directly behind the tractor cab. The cargo tanks are authorized only for shipments of blasting agents or oxidizers which have already been authorized to move in bulk quantities under certain exemptions. The dromedary compartment (cargo compartment) is authorized only for shipment of Class 1 (explosive) materials, other than initiating explosives. The dromedary compartment (cargo compartment) must be in conformance with § 177.835(e) and (f) or with § 177.835(g)3 and applicant's drawings numbered 1, 2 and 3 on file in the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

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8. SPECIAL PROVISIONS:

- a. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.
- b. Each motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 9623."
- c. Motor carriers operating under the terms of this exemption must have a "Satisfactory" safety rating as prescribed in Part 385 of the 49 CFR.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by a Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee" as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken

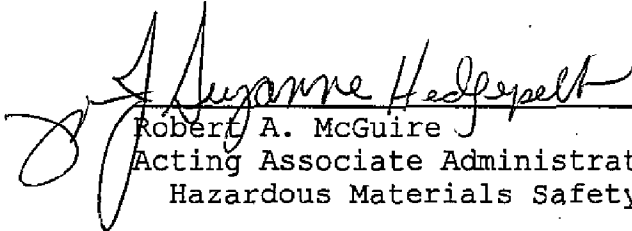
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under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

  
Robert A. McGuire  
Acting Associate Administrator for  
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: Exemptions Program.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Dist: FHWA  
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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Applica- tion Date	Issue Date	Expiration Date
Alaska-Pacific Powder Co. Olympia, WA	9/10/01	OCT 9 2001	9/30/2003
American East Explosives, Inc. Greenfield, MO	12/2/99	2/11/00	12/31/2001
American West Explosives, Inc. Plymouth, CA	1/18/00	3/10/00	12/31/2001
Austin Powder Co. Cleveland, OH	11/10/99	1/6/00	12/31/2001
Buckley Powder Co. of Okla., Inc. Mill Creek, OK	1/4/00	3/10/00	12/31/2001
Buckley Powder Co. Englewood, CO	1/4/00	3/10/00	12/31/2001
Golden State Explosives Plymouth, CA	1/18/00	3/10/00	12/31/2001
Nelson Brothers, LLC Birmingham, AL	8/7/01	8/22/01	12/31/2001
Nelson Brothers Mining Services, LLC Gillette, WY	8/7/01	8/22/01	12/31/2001
R & R Trucking, Incorporated Duenweg, MO	1/20/00	3/10/00	12/31/2001

  
for Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety